

REMARKS

Applicant added new claims 144 and 145 to further define Applicant's claimed invention. Support for new claims 144 and 145 is found in the specification at least on page 2, lines 22-23 and Figs. 14-15. New claims 144 and 145 read on Species VII.

Applicant acknowledges the Examiner's statement in the Office Action that Figs. 18-23 are believed to be generic to species I-XIII. Accordingly, Applicant submits that independent claims 91, 130, and 133 are directed to the features of Figs. 21 and 22 and are generic to species I-XIII. Applicant further acknowledges that Figs. 14-15 depict a subcombination useable with any of species I-XIII.

Applicant traverses the restriction requirement to the extent that it fails to identify any linking claims. Currently, elected independent claims 91, 130, and 133 are linking claims to at least one of species I-XIII. Applicant submits that upon allowance of one or more of linking claims 91, 130, and 133, at least claim 96 (directed to species I, II, and IX); claims 102-108 (directed to species IX and X); claim 111 (directed to species I, VIII, and X); claims 112 and 113 (directed to species III); and claims 116 and 117 (directed to species II) must be rejoined and examined under 37 C.F.R. § 1.104 for patentability.

Applicant respectfully requests the Examiner to acknowledge that independent claims 91, 130, and 133 are linking claims and include form paragraph 8.12 in the next Office Action as is required by MPEP § 809.03. (See the "Examiner note" to form paragraph 8.12 which states that the paragraph "must be included in any restriction requirement with at least one linking claim present." (See, MPEP § 809.03, page 800-52, 1st col. (August 2001)). According to MPEP § 809, "should any linking claim be

allowed, the restriction requirement must be withdrawn. Any claim(s) directed to the nonelected invention(s), previously withdrawn from consideration, which depends from or includes all the limitations of the allowable linking claim must be rejoined and will be fully examined for patentability." (See, MPEP § 809, page 800-48, 2nd col., and MPEP §§ 809.03 and 809.04, page 800-52 (August 2001)).

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 50-1066.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: 7-22-03

By: 

Amedeo F. Ferraro
Registration No. 37,129

14500 Avion Parkway, Suite 300
Chantilly, VA 20151-1101
Telephone: (703) 679-9300
Facsimile: (703) 679-9303